

REMARKS

Claims 1-12 remain in this application. Claims 2, 9 and 11-12 have been amended.

In the Office Action dated August 20, 2004, the Examiner rejected claims 9-12 of the present application under 35 U.S.C. §101, because the claimed invention is directed to non-statutory subject matter. Specifically, the Examiner noted that “the data structure (i.e., computer program) of the claims is not embodied on a computer readable medium.” Applicant respectfully submits that pursuant to the present amendment, independent claims 9, 11 and 12 have been amended so as to clarify that the respective program is for execution by a processor. Accordingly, Applicant respectfully submits that the Examiner’s rejection under 35 U.S.C. §101 has been overcome, and respectfully requests the withdrawal thereof.

In addition, the Examiner rejected, in particular, independent claims 1, 9 and 11-12 of the present application under 35 U.S.C. §103(a) as being unpatentable over Chester et al. For the following reasons, Applicant respectfully traverses the Examiner’s rejection and respectfully requests the withdrawal thereof.

First of all, Applicant respectfully submits that the Chester reference, by itself, fails as a *prima facie* reference for purposes of 35 U.S.C. §103(a). The Examiner has admitted that the Chester reference “does not disclose a method which is based on the number of characters, however it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the method of Chester with the use of number of characters because it was well known that the number of characters, length (inches, centimeters, etc.), and number of pixels are measures of length used in words processor functions.” That said, Applicant respectfully submits that simply because the claimed invention may well be within the capabilities of one of ordinary skill in this field of art, such is not sufficient by itself to establish a *prima facie* case of obviousness. Indeed, the proposed modification as suggested by the Examiner would completely alter the fundamental operation of the Chester method.

Chester teaches to “reduce” the font size characters. Conversely, the present invention specifically claimed “stipulating, for the column, a number of characters to be rendered...” To be sure, the number of characters in the rendered version may well be different than that which is initially entered by the user or that which is initially set by a program. That is, the present

invention claims steps which occur *after* an initializing process; e.g., the initializing process upon which the Chester method is based (see page 133).

In light of the above, Applicant respectfully submits that claims 1-12 of the present application, as amended, are both novel and non-obvious over the art of record. Accordingly, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

It is further acknowledged that a three month extension of time of \$1020.00 is due in connection with this response at this time. However, if any fees are due in connection with this application as a whole, the Examiner is authorized to deduct said fees from Deposit Account No.: 02-1818. If such a deduction is made, please indicate the attorney docket number (0112740-260) on the account statement.

Respectfully submitted,

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